

ATTORNEY'S DOCKET NO: 26352U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE <u>10</u> September 2004 (10.09.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known): Not Yet Assigned 10/507106
INTERNATIONAL APPLICATION NO.: PCT/JP03/02755	INTERNATIONAL FILING DATE: 7 March 2003 (07.03.2003)	PRIORITY DATE CLAIMED: 12 March 2002 (12.03.2002)
TITLE OF INVENTION: GENE PARTICIPATING IN THE SYNTHESIS OF BRASSINOSTEROID		
APPLICANT(S) FOR DO/EO/US: TSUKAYA, Yichi; KIM, Gyung-Tae		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input checked="" type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL FORM; FEE CALCULATION; COVER SHEET OF INTERNATIONAL PUBLICATION WO 03/076626 A1 WITH INTERNATIONAL PUBLICATION DATE 18 SEPTEMBER 2003 WITH ENGLISH TRANSLATION WHICH CONSISTS OF 22 PAGES INCLUDING: 14 PAGES TEXTUAL SPECIFICATION, 2 PAGES OF 13 CLAIMS; 2 SHEETS DRAWINGS; 1 PAGE OF THE ABSTRACT; 7 PAGES SEQUENCE LISTING; PCT/IPEA/416 & PCT/IPEA/409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT WITH ENGLISH TRANSLATION OF CLAIMS AMENDED BY ARTICLE 19 TO BE EXAMINED; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; SEQUENCE LISTING SUBMISSION STATEMENT; SEQUENCE LISTING COMPUTER READABLE FORMAT (CRF); EXECUTED INVENTOR'S DECLARATION; ASSIGNMENT AND RECORDATION COVER SHEET & PCT/IB/306; PCT/IB/308 COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED STATES. 		

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U.S. APPLICATION NO. <small>(if known) not yet assigned</small> 10/507106	INTERNATIONAL APPLICATION NO. PCT/JP03/02755	DATE: 10 September 2004 (10.09.2004)
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17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:.....\$920.00 International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$730.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$770.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1080.00 International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) IPEA-U.S.....\$ 100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u> \$ 920.00 \$ 920.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	19 -20=	4	X \$ 18.00	\$	0.00
INDEPENDENT	2 - 3=	0	X \$ 84.00	\$	0.00
Multiple dependent claims(s) (if applicable)			+ \$290.00	\$	290.00
TOTAL OF ABOVE CALCULATIONS =				\$	920.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$.00
SUBTOTAL =				\$	1, 210.00
Processing fee of \$130.00 for furnishing the English translation later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
TOTAL NATIONAL FEE =				\$	1,210.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	40.00
TOTAL FEES ENCLOSED =				\$	1,250.00
				Amount to be:	
				refunded	\$
				charged	\$

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a. ☒ Three checks in the aggregate amount of \$ 1,250.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.

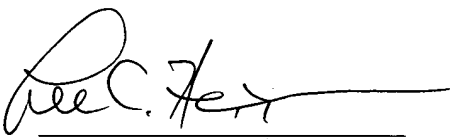
d. ☐ Fees are to be charged to a credit card ____ WARNING: Information on this form may become public ____ Credit Card Information should not be included on this form. ____ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/507106

In re Application of:

TSUKAYA et al.

International Application No. PCT/JP03/02755

Serial No. NOT YET ASSIGNED

International Filing Date: 7 March 2003 (07.03.2003)

Filed: September 10, 2004

For: GENE PARTICIPATING IN THE SYNTHESIS OF BRASSINOSTEROID

DT09 Rec'd PCT/PTO 10 SEP 2004

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

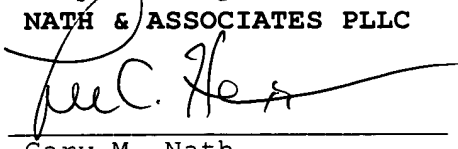
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 03/076626 A1
International Publication Date: 18 September 2003 (07.03.2003)
With English translation which consists of 22 pages including:
 - 10 pages Textual Specification,
 - 2 pages of 13 Claims,
 - 2 sheets of Drawings,
 - 7 pages Sequence Listing;
- (4) PCT/IPEA/416 & 419 International Preliminary Examination Report
with English translation of Claims Amended by Article 19 to be examined;
- (5) Preliminary Amendment with Attachment A to be examined;
- (6) Sequence Listing Submission Statement;
- (7) Sequence Listing Computer Readable Format (CRF);
- (8) Executed Inventor's Declaration;
- (9) Assignment and Recordation Cover Sheet & PCT/IB/306;
- (10) PCT/IB/308 Communication of the International Application to the Designated Offices;
- (11) Check No. 21706 \$ 920.00 for Government Filing Fee;
- (12) Check No. 21707 \$ 290.00 multiple dependent fee;
- (13) Check No. 21708 \$ 40.00 for recordation fee;
- (14) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
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Date: September 10, 2004
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